

OFFICE OF THE SECRETARY OF DEFENSE

WASHINGTON

3 May 1948

PERSONAL

Dear Matt:

I am enclosing a memorandum on the proposed Joint Congressional Committee on Intelligence, the contents of which I thought would be of interest to your committee making a study of C.I.A.

Sincerely,


W. J. McNeil

OSD REVIEW COMPLETED

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OFFICE OF THE SECRETARY OF DEFENSE
WASHINGTON

29 April 1948

MEMORANDUM FOR Mr. W.J. McNeil

SUBJECT: Proposed Joint Congressional Commission on Intelligence.

On April 21st, Representative Devitt of Minnesota proposed the creation of a joint Congressional committee on intelligence, composed of three members each from the Senate and House Committees of Foreign Relations, Armed Services and Judiciary -- a total of 18 in all. Hearings of the Committee would be private, except where by majority vote the Committee orders public hearings. The Committee is charged "with the responsibility of making a continuing study of the programs and activities of the Central Intelligence Agency and of the Intelligence Services of the Department of National Defense and the Department of State. It is required to evaluate the operations of those agencies and to review the progress achieved in the execution of their programs."

Representative Devitt stated that Admiral Hillenkoetter had told him "that while he believes there is much merit to the independent position of his agency in the field of Government, he feels somewhat at a loss for the lack of some specific committee of the Congress to whom he can turn for confidential guidance and counsel, and to whom he can resort for needed changes in the legislative operations of his agency."

I would like to point out what I consider to be serious objections to the proposal:

1. "Evaluation of the operations of intelligence agencies" presupposes special capacity on the part of the evaluators. Presumably they must be possessed of substantial criteria against which the success of the operations may be compared. Furthermore, they must be sufficiently well versed professionally in intelligence to understand not only the general nature but the detailed requirements of successful operation. They must be without any question absolutely secure personally with a thorough understanding of the implications of security breaches. Their interest in the success of intelligence operations must be so single-minded as to render unthinkable the use of their special knowledge for any political advantage.

I submit it as unlikely that 18 members of Congress, from whatever committee selected, could possess the necessary qualifications, if indeed any one of them would do so. The constitution of the Committee would inevitably change with some frequency and a good committee one year might be a bad committee the next.

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2. A major reason for placing CIA under the National Security Council was to avoid the publicity which would be directed at its operations if it were to stand out as a separate agency subject to normal Congressional scrutiny. Its relations with Congress should be carried on through the screen of the National Security Council, which of all Government agencies should be in position to give the Director "confidential guidance and counsel." It is curious that the Director should feel it necessary to seek direct contact with Congress instead of recoiling from it and seeking in all possible ways to avoid it for security reasons. In so far as possible the Director of CIA should avoid becoming a figure of public interest in order to devote his entire energies to directing the operations of his agency. He should be protected from the constant strain of external, amateur inquiry, and he should certainly protect his subordinates from such inquiry.
3. Field experience with the committee on atomic energy, to which the proposed committee on intelligence would bear a resemblance, indicates certain additional dangers inherent in the proposal.
4. It is to be anticipated that some at least of the 18 committee members would be irresistibly tempted to make use for political purposes of information available to them. The denial to them of operational information on security grounds would almost certainly result in undesirable disclosures for the sake of personal publicity or from a mistaken conception of the public interest. It is not probable that any layman could have sufficient judgment as to the implications of such disclosures unless he were cognizant of the entire operation through integral association with it.
5. It is likely that the Committee members would be subject to political pressure on the part of important constituents to use the CIA as an information gathering service for the benefit of the constituent. Historical parallels of intelligence services of other nations would suggest a high degree of possibility that this would be the case.
6. The functions of the proposed committee appear to duplicate the statutory function of the National Security Council as regards CIA. Provision for inclusion on the staff of the Executive Secretary of a small, professionally qualified "buckling" staff for intelligence should obviate the necessity for the Congressional Committee.

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Stephen B.L. Penrose, Jr.

CC: Blum